

Virginia Manufactured Housing Board
Minutes
September 16, 2004

Board Members Present: William B. Toombs, Chairman
William H. Moody, Vice Chairman
Eric C. Anderson
Samantha Hedgspeth
Danny Moon
Michael C. Nickell
James W. Roncaglione

Board Members Absent: Ava Lewis
E. Thomas Satterwhite

Public Representative : Ron Dunlap, President, VAMMHA

A. Call to Order/Roll Call/Determination of a Quorum.

Chairman Toombs called the Virginia Manufactured Housing Board meeting to order at 10:15 a.m. Curtis L. McIver, Secretary to the Board did the Roll Call and a Quorum was present.

B. Approval of the Minutes.

A motion was made by James Roncaglione and second by Michael C. Nickell to accept the Minutes as presented. Chairman Toombs called the questions. The Virginia Manufactured Housing Board Minutes were accepted as presented by a unanimous vote.

C. Public Comment.

None.

D. Committee Reports.

None.

E. Report of the Secretary.

1. Licenses and Recovery Fund Reports.

The cash balance in the Licensing Account is \$21,367.11. The cash balance in the Transaction Recovery Fund Account is \$846,371.76.

Currently licensed are 8 brokers, 249 dealers, 48 manufacturers and 751 salesperson in the Program.

2. Proposed amendments to the Regulations.

The notice of intended regulatory action was published in July. At the end of August the NOIRA comment period ended. The Town Hall documents and drafts will be put together and ready for the November 19th Board meeting for its review. The Town Hall papers allow the citizens of Virginia access to these documents to identify changes, economic impact and effect on citizens.

F. Unfinished Business.

1. Catherine Portman vs. Colonial Homes.

A motion was by James W. Roncaglione and second by William H. Moody to accept the contract on Page 122 of the Record as the “official” contract signed by both parties. The vote on the motion was six Ayes and one No. Mr. Anderson voted no.

After review of recommendations submitted by Urchie Ellis, Hearing Officer for this case the following list are acceptances/rejections/modifications voted on by the Virginia Manufactured Housing Board Members.

Item 1. The Board accepts with the following modification – delete the wording “*a better quality, upgraded.*”

The vote is as follows: one opposed – Eric C. Anderson. All other Board Members voted Aye. They are Danny Moon, William C. Moody, James W. Roncaglione, Samantha Hedgspeth, Michael C. Nickell, and William B. Toombs.

Item 2. Modify wording to reflect/explain the color of the brown/white doors.

Modified wording was accepted with a unanimous vote.

Item 3. Accepted with a unanimous vote.

Item 4. The original replacement cost recommendation was \$2,400. The Board added inflation cost. The total amount recommended is \$3,000.

Modification was accepted with a unanimous vote.

Item 5. Rejected by the Board with a unanimous vote.

Item 6. The recommended amount to be paid is \$250. This was changed to \$200 and carried by a unanimous vote by the Board.

Item 7. Rejected by the Board with a vote of six Ayes and one No. Mr. Anderson voted No.

Item 8. Rejected by the Board with a vote of six Ayes and one No. Mr. Anderson voted No.

Item 9. Accepted with the following vote. One oppose – James W. Roncaglione. All other Board Members voted Aye. They are Eric Anderson, Samantha Hedgspeth, Danny Moon, William H. Moody, Michael Nickell and William B. Toombs.

Item 10. Rejected by the Board with a vote of six Ayes and one No. Mr. Anderson voted No.

Item 11. Accepted by the Board with a modification that carried by a unanimous vote.

Item 12. Accepted by the Board with a modification that carried by a unanimous vote.

Item 13. Rejected by the Board with a unanimous vote.

Item 14. Rejected by the Board based on the advice from the Office of the Attorney General. The vote was six Ayes and one No. Mr. Anderson voted No.

Conclusion – The Portman’s are entitled to damages for \$3,200. Staff will prepare a draft of the final order for view by William Diamond, Assistant Attorney General. Once the final order is completed, it will be forwarded to the Chairman of the Board for his signature.

2. Elizabeth Conn vs. Colonial Homes.

No action was taken by the Board.

3. Eddie Linville vs. Jerry Stoneman, Southern Showcase Housing.

The Board instructed staff to gather additional information and documentation for Board’s review at its next meeting.

4. Pending Items are in litigation - Circuit Court.

- a. Brenda Washington vs. Colonial Homes.
- b. Ronald Morehart vs. Blairs Housing and Liberty Homes.
- c. Christine White vs. Colonial Homes.
- d. License application from John C. Witcher, Jr. – A Gem Homes
- e. John and Geraldine Brain vs. Manufactured Housing Board
- f. Ms. Betty Russell vs. Oakwood Homes (Tabled for civil case)

5. Completed agenda items.

- a. Jason & Robins Deavers vs. DB Homes, Stanley, Virginia
- b. License application by William Michael “Mike” McCourt.

G. New Business.

None.

H. Next Meeting Date and Location.

The next meeting of the Virginia Manufactured Housing Board will be Thursday, November 18, 2004, at the Department of Housing and Community Development. The Jackson Center, 501 N. 2nd Street, 1st Floor Board Room, Richmond, VA 23219. Telephone No. (804) 371-7160.

1. Adjournment.

The Virginia Manufactured Housing Board Meeting adjourned at 1:30 p.m. by a motion from William H. Moody and second by James W. Roncaglione. The motion carried by a unanimous vote.